

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ILLINOIS TOOL WORKS INC.,

Plaintiff,

v.

TERMAX COMPANY,

Defendant.

Civil Action No. 1:20-cv-05416

Honorable Virginia M. Kendall

JURY TRIAL DEMANDED

**AGREED MOTION FOR AN EXTENSION OF TIME
TO FILE AMENDED COUNTERCLAIMS**

Defendant Termax Company (“Termax” or “Defendant”) with the agreement of Plaintiff Illinois Tool Works Inc. (“ITW” or “Plaintiff”), respectfully moves for an entry of an order extending by one (1) day the deadline for Termax to file amended counterclaims to Plaintiff’s Second Amended Complaint (Dkt. #105) pursuant to the Court’s July 24, 2023 Memorandum Opinion and Order (Dkt. #121). In support of this Motion, Defendant states as follows:

ITW filed its Second Amended Complaint on February 28, 2023 (Dkt. #105). Termax filed its Answer, Affirmative Defenses and Counterclaims on March 30, 2023 (Dkt. #108), which included Counterclaim Counts V and VI alleging that each of the patents asserted in this case are unenforceable for inequitable conduct. On April 27, 2023, ITW moved to dismiss these counts (Dkt. #112), and on July 24, 2023, the Court grants ITW’s motion and granted Termax leave to file amended counterclaims up through and including August 14, 2023 (Dkt. #121).

Termax has requested, and ITW has agreed, to a one (1) day extension for Termax to file amended counterclaims be extended up to and including August 15, 2023.

WHEREFORE, Defendant Termax, on behalf of both parties, respectfully requests that this Court enter an order extending the deadline up to and including August 15, 2023 within which to file amended counterclaims.

Date: August 14, 2023

/s/ Raymond R. Ricordati III

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Attorneys for Plaintiff Illinois Tool Works, Inc.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on this 14th day of August 2023, I caused **AGREED MOTION FOR AN EXTENSION OF TIME TO FILE AMENDED COUNTERCLAIMS** to be filed electronically with Clerk of the Court, United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system which sent notification of such filing to all counsel of record.

By: /s/ Raymond R. Ricordati III
Raymond R. Ricordati III